

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Matthew Chaves	Team: Squad #2	CCRB Case #: 201704581	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Monday, 05/22/2017 6:45 PM	Location of Incident: 61st Precinct Stationhouse	Precinct: 61	18 Mo. SOL 11/22/2018	EO SOL 11/22/2018	
Date/Time CV Reported Wed, 05/31/2017 10:31 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 05/31/2017 10:31 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. SGT Michael Szczecinski	05475	940784	061 PCT

Officer(s)	Allegation	Investigator Recommendation
A.SGT Michael Szczecinski	Abuse: Sergeant Michael Szczecinski did not process § 87(2)(b) s complaint regarding an officer.	

Case Summary

On May 31, 2017, § 87(2)(b) filed this complaint with the CCRB via telephone as part of a statement relating to CCRB case number 201704186.

At approximately 6:45 p.m. on May 22, 2017, § 87(2)(b) went to the 61st Precinct stationhouse in Brooklyn to file a complaint about an officer who had issued him a summons earlier that evening (the incident that led to CCRB case number § 87(2)(b)). Upon entering the stationhouse, § 87(2)(b) spoke to the desk officer, Sergeant Michael Szczecinski of the 61st Precinct. § 87(2)(b) explained the nature of his complaint, requested the identity of the officer who had issued him a summons, and informed Sergeant Szczecinski that he wished to file a complaint about that officer's behavior. Sergeant Szczecinski told § 87(2)(b) that he could not file a complaint at the stationhouse (**Allegation A**). § 87(2)(b) was not arrested or summonsed during this portion of the incident.

The investigation obtained no video footage of this incident.

Mediation, Civil and Criminal Histories

- § 87(2)(b) was offered mediation in regards to this incident, but declined § 87(2)(b).
- According to the New York City Comptroller's Office, as of August 1st, 2017, no Notice of Claim has been filed in regards to this incident.
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Civilian and Officer CCRB Histories

- This is the second CCRB complaint involving § 87(2)(b) § 87(2)(b).
- Sergeant Szczecinski has been a member of the NYPD for eleven years, and has thirteen prior allegations in six cases with no substantiated allegations. § 87(2)(g)

Findings and Recommendations

Allegation A –Abuse of Authority: Sergeant Michael Szczecinski did not process § 87(2)(b)'s complaint regarding an officer.

§ 87(2)(b) provided a telephone statement to the CCRB on May 31, 2017 (Board Review 03), was interviewed on June 14, 2017, and answered follow-up questions via telephone on July 6, 2017 (Board Review 04). Sergeant Szczecinski was interviewed on July 6, 2017.

It is undisputed that, on the incident date, § 87(2)(b) was issued a summons for a driving infraction, and then went to the 61st Precinct stationhouse. At the stationhouse, he and Sergeant Szczecinski spoke about § 87(2)(b)'s dissatisfaction regarding the summons. § 87(2)(g)

§ 87(2)(b) asked for the name of the officer who had issued him the summons, and told Sergeant Szczecinski that he wanted to file a complaint. Sergeant Szczecinski told § 87(2)(b) that he could not file a complaint at the stationhouse, and § 87(2)(b) left without filing a complaint.

According to § 87(2)(b) upon being issued the summons, he called 911 to file a complaint. The operator connected him to a voicemail box, where he left a message. He then went to the stationhouse and spoke to Sergeant Szczecinski. Sergeant Szczecinski refused to give § 87(2)(b) a complaint form, and told him that he could not file a complaint and that he needed to “get out” of the stationhouse. After being denied the opportunity to file a complaint at the stationhouse, he then called 911 again to complain about Sergeant Szczecinski’s conduct. At no point on the incident date did § 87(2)(b) call the CCRB himself, nor did he tell Sergeant Szczecinski that he had called the CCRB. When asked by the investigation whether he had been familiar with the existence, name, or nominative acronym of the CCRB at the time of his conversation with Sergeant Szczecinski, § 87(2)(b) denied any such knowledge.

According to Sergeant Szczecinski, he refused to take § 87(2)(b)’s complaint because § 87(2)(b) told him that he had already called and filed the complaint with the “CCRB.” Since, in Sergeant Szczecinski’s understanding, a complaint filed at the stationhouse would be sent to the CCRB and become redundant in light of § 87(2)(b)’s phone complaint, it was not necessary to have § 87(2)(b) fill out a paper complaint.

Sergeant Szczecinski made a detailed Command Log entry at 8:00 p.m. on May 22, 2017, about this incident (Board Review 05), which he referred to during his interview for the purposes of recollection. In this entry, he provided an accurate demographic description of § 87(2)(b). He also recorded his conversation with § 87(2)(b) as follows: “C/V stated he already made a complaint to CCRB...Explained can’t make 2 complaints for same incident, that CCRB will contact him in the future to investigate. Explained unnecessary to make paper report after reporting incident via phone.”

According to Procedure 207-31 of the Patrol Guide, officers must take and report all civilian misconduct complaints to the CCRB. For complaints made in person to the officer, the officer must interview the complainant, give the complainant a copy of the Civilian Complaint Report, and assist them in preparing the form if need be (Board Review 06).

§ 87(2)(g)
[REDACTED]

§ 87(2)(g)

Investigator: _____
Signature Print Date

Squad Leader: _____
 Title/Signature Print Date

Reviewer: _____

Title/Signature Print Date